



Clark County Regional Support Network Policy Statement

Policy No.: CR03
Policy Title: Consumer Complaints and Grievances
Effective Date: September 1, 2001

MIS Data Dictionary

Policy: The CCRSN and its contracted providers shall provide consumers access to a grievance process that promotes resolution of grievances at the lowest possible level, protects consumer rights, and promotes quality improvement in the delivery of publicly funded community mental health services.

CCRSN shall ensure that consumers are provided with information about their right to file a grievance and shall make available clearly written procedures about the grievance process. The process shall be culturally, age, and linguistically competent and include provisions for consumer assistance.

Reference: WAC 388-865, Washington Mental Health Division RSN contract (Exhibit P: Grievance System Template), CMS Waiver, 42 CFR 438 Subpart F: Grievance System, 45 CFR Health Insurance Portability and Accountability Act (HIPAA), CCRSN Policies and Procedures: CM03 Notice of Action, CR05 Consumers Right to Administrative Hearing, CR06 Consumers Right to Appeal

Definitions:

Grievance means an expression of dissatisfaction about any matter other than an "action," as defined in CCRSN Policy and Procedure CR05 Notice of Action. The term also refers to the overall system that includes grievances and appeals handled through CCRSN and access to the State administrative hearing process (CR03 Consumer Complaints and Grievances, CR05 Consumer Rights to an Administrative Hearing, CR06 Consumer Rights to Appeal, and CM03 Notice of Action). Grievances include, but are not limited to, quality of care or services provided and aspects of interpersonal relationships, such as rudeness.

Complaints are informal statements by a consumer, family member, or other consumer representative expressing dissatisfaction with some aspect of mental health services. Complaints are resolved at the lowest level possible without rising to the level of a formal grievance.

Procedure:

Complaints and Grievances

1. CCRSN informs providers about the complaint and grievance process at the time of contracting. The required information is contained in CCRSN policies and procedures CR03 Consumer Complaints and Grievances, CR05 Consumer Rights to an Administrative Hearing, CR06 Consumer Rights to Appeal, and CM03 Notice of Action.

2. At intake, CCRSN providers shall explain the complaint and grievance process to the consumer and/or the consumer's guardian or representative in a manner that is understandable to them. This includes the use of interpreters or other communication means as necessary for non-English speaking individuals, or those who are hearing impaired, developmentally delayed or blind.
3. Medicaid consumers 13 years and older may file a complaint or grievance. A consumer may have a representative who acts on his or her behalf in filing and pursuing a complaint or grievance.
 - a) A community agency submitting a complaint or filing a grievance on behalf of a consumer must have written consent from the consumer.
 - b) A parent or guardian can submit a complaint or file a grievance for a child under the age of 13, if the child is the identified recipient.
4. The consumer shall be given reasonable assistance by CCRSN or its contracted provider in submitting a complaint or filing a grievance, including access to Ombuds services and oral or manual interpreter services.
5. Toll free numbers TTY/TTD numbers and contact information for interpreter and Ombuds services can be obtained from CCRSN, Clark County Website, the MHD, and distributed consumer benefits information.
6. A consumer's complaint or grievance shall contain the following information:
 - a) Consumer's name.
 - b) How the consumer can be contacted.
 - c) The nature of the consumer's grievance.
 - b) How the consumer would like the grievance to be resolved.
7. An informal complaint process can be formalized and a grievance filed if a consumer chooses to do so.
8. A complaint or grievance may be filed with CCRSN or the consumer's provider by the consumer, or the consumer's representative, either orally or in writing.

Grievances

1. A written, signed request for grievance must be submitted within 10 days if an initial request for such has been made orally.
2. If a complaint is not resolved within 10 working days, a consumer shall be offered the opportunity to file a grievance
3. CCRSN and contracted providers shall acknowledge receipt of each grievance received either orally or in writing within one working day. Written acknowledgement will be mailed to the consumer within five (5) working days.

Consumers filing a grievance with CCRSN will first be referred to their provider agency to seek a resolution. CCRSN and the Ombuds service are available to provide support for addressing the grievance with the provider.

4. CCRSN and contracted providers shall ensure that the individuals who make decisions on grievances are qualified mental health care professionals who have the appropriate clinical expertise.
5. CCRSN and contracted provider staff involved in a grievance process shall comply with all confidentiality laws and procedures.

Complaints

1. Consumers may submit a complaint about any matter related to their mental health services to:
 - a) The consumer's provider
 - b) CCRSN
 - c) The Ombudsman
2. Providers shall attempt to resolve complaints internally within 10 business days.
3. Consumers receiving services and consumers applying for services may submit a complaint.

Resolution

Grievances

1. CCRSN and contracted providers shall resolve each grievance and provide notice as expeditiously as the consumer's mental health condition requires, and not more than thirty (30) days from statement of grievance.
2. CCRSN may extend the prescribed timeframes for resolution by written agreement, if the consumer or provider agency requests the extension. The timeframes cannot exceed 90 days from the start of the grievance.
3. If CCRSN extends the timeframes for any extension not requested by the consumer, written notice of the reason for the delay shall be given to the consumer.
4. Resolution shall be sought at the CCRSN level prior to filing for another level in the process (e.g., administrative hearing).
5. The written notice of the resolution must include the results of the resolution process and the date it was completed.
6. While the grievance is pending, CCRSN shall continue or reinstate the consumer's benefits, at the consumer's request. CCRSN and providers shall inform consumers of the requirement for

payment by the consumer for services received if a grievance is not resolved in favor of the consumer. The benefits must be continued until one of the following occurs:

- a) The consumer withdraws the complaint or grievance;
 - b) Ten days pass after the provider or CCRSN mails notice of disposition of a grievance resolution that is not in favor of the consumer and the consumer has not requested an administrative hearing.
7. The consumer or CCRSN can request a 14-day extension for a decision if it is in the best interest of the consumer.
 8. If a consumer is dissatisfied with a resolution from a provider, a request may be made to CCRSN for additional consideration of the grievance. The consumer has five (5) calendar days from receiving notice of the decision from the provider to make the request for additional consideration.
 - a) CCRSN shall make a decision about the grievance within 60 calendar days from the day the grievance was initiated with the provider.
 - b) A written statement of the decision by CCRSN related to the additional consideration of the provider decision shall be sent to the consumer.
 9. A consumer may request additional consideration from the MHD within five (5) calendar days from receiving notification from CCRSN about the resolution of the grievance. if:
 - a) The consumer is dissatisfied with a CCRSN decision regarding a request for additional consideration of a provider decision
 - b) The consumer is dissatisfied with a resolution of a grievance initially filed with CCRSN.
 10. Contracted providers and the CCRSN shall not retaliate against a consumer who files a grievance.

Complaints

1. If a complaint cannot be resolved within 10 days, the consumer shall be offered an opportunity to continue the complaint process or file a formal grievance.
2. Resolution of a complaint shall be communicated to the consumer in a timely manner and filed with the provider and CCRSN.
3. Providers shall ensure that retaliation does not occur for consumers who submit complaints.

Record-keeping and Reporting Requirements

Complaints and Grievances

1. CCRSN shall maintain records of complaints and grievances and review the information at least annually as part of the MHD's quality strategy.

2. Consumer grievance records shall be kept by CCRSN and providers for a period of five (5) years. These records shall be kept separate from consumers' clinical records and shall not be disclosed without consumers' permission, except as necessary to resolve a grievance.
3. Providers shall provide to CCRSN, when requested, documentation of complaint and grievance records to be included in twice yearly reporting (per contract) to MHD. Reports shall include:
 - a) The number and nature of complaints and grievances;
 - b) The timeframes within which they were disposed or resolved;
 - c) The nature of the decisions;
 - d) A summary and analysis of the implications of the data, including what measures may be taken to address undesirable patterns.
4. The CCRSN shall monitor quality through:
 - a) Oversight during the complaint and grievance process to ensure that services are provided as required, timelines for decisions are met as required, and retaliation does not occur.
 - b) Monthly coordination of data collection of complaints and grievances from the mental health Ombudsman, providers, and CCRSN;
 - c) Aggregation of data and trends reported to the CCRSN Quality Management Committee for the purposes of quality monitoring and service improvement.

Approved By: _____


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Clark County
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Date: _____

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